



Ihu
PATENT
ATTORNEY DOCKET NO.: 46884-5351

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Kazuhito KAWAI et al.) Confirmation No.: 3626
Application No.: 10/522,180) Group Art Unit: 2874
Filed: October 26, 2005) Examiner: Michelle R. Connelly Cushwa
For: LIGHT GUIDING DEVICE)

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Issue Fee
Alexandria, VA 22314

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(d)

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. This Information Disclosure Statement (IDS) is being filed after the events recited in § 1.97(c) but before the payment of the issue fee for the above-identified application. Under the provisions of 37 C.F.R. § 1.97(d), a fee of \$180.00, as specified by § 1.17(p) is due for filing this IDS.

Each item of information contained in this IDS was first cited in a European Search Report dated November 20, 2007 in a corresponding European application. Hence, to the best of the undersigned's knowledge and recollection, each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. A copy of the European Search Report dated November 20, 2007 is enclosed for the Examiner's consideration.

01/09/2008 JADD01 00000048 10522180

91 FC:1806

180.00 OP

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "Prior Art". If it should be determined that any of the listed documents do not constitute "Prior Art" under the United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, *or* credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP



Paul A. Fournier
Registration No. 41,023

Dated: January 8, 2008

CUSTOMER NO. 055694

DRINKER, BIDDLE & REATH LLP
1500 K Street, N.W., Suite 1100
Washington, D.C. 20005-1209
Tel: (202) 842-8800
Fax: (202) 204-0289